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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,689	11/13/2001	Harry V. Weber	WBE-1	5262
22827 7590 10/31/2007 DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			EXAMINER DASS, HARISH T	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/054,689	WEBER, HARRY V.	
	Examiner	Art Unit	
	Harish T. Dass	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-25 and 55-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-25 and 55-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of claims:

Claims status: 1-10 and 26-54 are withdrawn.

Claims 11-25 and 55-57 are rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-25 and 55-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marybeth Regan (hereinafter Regan – “Utilizing the Internet in education”, College and University, Washington: Spring 2001 Vol. 76, Iss, 4; pg 37, 8pgs”) in view of Ireland et al. (hereinafter Ireland – US 7,062,462).

Re. Claim 11, Regan discloses

a first information collection service for obtaining requested personal and financial information about a given student [pages 4 paragraph # 8 to page 5 paragraph # 2]; and

Regan does not explicitly disclose a financial aid estimation service for generating a predicted amount of monetary aid that may be available for the student to use for education-related expenses, whereby the predicted amount of monetary aid

generated via said financial aid estimation service is based on information obtained via said first information collection service. However, Ireland discloses this feature [Figure 1; col. 15 lines 4-26; col. 7 lines 6-31, additionally see figures which have more information]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Regan and include a financial aid estimation service for generating a predicted amount of monetary aid that may be available for the student to use for education-related expenses, whereby the predicted amount of monetary aid generated via said financial aid estimation service is based on information obtained via said first information collection service, as disclosed by Ireland, to provide an online student financial aid resource which allows the student/parent to calculate the estimated cost of educational and available financial aid require for student to attend an educational institution.

Re. Claim 12, Regan discloses wherein said web-based application further comprises a registration service for applying for and receiving a user identification element, and whereby said user identification element is utilized for obtaining future access to said web-based application, including various features and services thereof [see enrollment and online application].

Re. Claim 13, Regan discloses a second information collection service, for obtaining additionally requested information related to personal demographics, financial matters, and educational endeavors of a given student [see enrollment certification, inherent in

enrollment process].

Re. Claims 14-15, Regan discloses a federal link service for electronically relaying information contained in an Institutional Student Information (ISIR) document from the United States Department of Education to the web-based application, and a federal link service for electronically relaying federal aid eligibility information between the web-based application and selected government agencies, wherein one of said selected government agencies corresponds to the United States Department of Education [pages 4 paragraph # 8 to page 5 paragraph # 2; see ed.gov/..., fafsa.ed.gov].

Re. Claim 16, Regan or Ireland does not explicitly disclose a student file establishment service for generating a hard copy of selected information pertaining to a given student. However, this feature is well-known and inherent in Regan and Ireland and obvious in any application where copies of applications are made either for distribution or student copy to keep as reference. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Regan and Ireland and include a printer and printer configuration to allow the student/administrators to make allowable hard copy for reference and archive purposes.

Re. Claim 17-25, and 55-59 Regan discloses federal aid link service provides links at the web-based system for directly connecting a user to a FAFSA on-line web-based location and to an Ins on-line web-based location [page 4 paragraph 8]. Ireland

discloses selected information obtained via said student file establishment service comprises information obtained via said first information collection service and said second information collection service, federal aid eligibility information obtained via said federal link service, and enrollment information about a given student obtained from an educational institution [col. 7 lines 10-30, 51-65; see database Figure 1], a file processing service for reviewing obtained information about a given student and for determining eligibility for various types of financial aid that are potentially available to a student, a file processing service for reviewing information collected about a given student via said file establishment service and for determining eligibility for various types of financial aid that are potentially available for a student, a loan application service for electronically relaying master promissory note (MPN) documentation between a system user and a loan guarantor, wherein said loan guarantor is characterized as one who provides monetary assistance to a student for education-related expenses, a reporting system service available to a user of the web-based application, for obtaining updated information about the financial aid system and progress involved with said file processing service thereof, a communications service for automatically generating and sending an electronic communication from a student or educational institution to a student financial aid processor, and wherein the user identification element received via said registration service is utilized as an electronic signature for affirming various statements presented in accordance with the multi-level financial aid system [see entire document particularly; col. 3 line 51 to col. 4 line 4; col. 6 line 55 to col. 7 line 65; col. 22 lines 7 to col. 23 line 28; claims 1-2]. Additionally, a service for obtaining a copy of an

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Institutional Student Information Report (ISIR) document for the given student, a service for obtaining enrollment verification information for the given student from one or more specified educational institutions, and wherein selected portions of the information obtained from said first information collection service, said service for obtaining a copy of an ISIR document and said service for obtaining enrollment verification information are reviewed by a financial aid processing center, a service for comparing information obtained via said first information collection service and the given student's ISIR document;

a service for determining what financial aid the given student is eligible for; and

a service for providing an award notice to the given student based on the determination of financial aid eligibility, and a service for determining whether the given student's corresponding information complies with federal regulatory standards for financial aid eligibility are inherent in Regan and Ireland. Further, an integrated feature that automatically updates the web-based application, particularly updating information related to received documents and progress of financial aid processing is well-known specially software companies website such as Microsoft explores which automatically updates the website. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Regan and include the disclosure of Ireland, as disclosed above, to provide a method and apparatus for students and parents with education financing information, online filing at reduce the costs for a school to transmit financial aid award packages to potential students and

help student to apply timely for student aid and get the result/decision quickly using their computer.

Response to Arguments

1. Applicant's arguments filed 8/9/07 have been fully considered but they are not persuasive. Because:

In response to applicant's argument (recited on page 9) that "The Examiner has already correctly noted the many deficiencies of the base reference ..." the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case the primary Regan is a non-patent literature, which is a qualified prior art. Regan discloses the use of internet and using online tool for student loan application, which is capable of automatically populating the student's information form database. Additionally, Regan discloses Sallie Mae's "Laureate" which is a web-based loan application solution. Student loans and financial aids are well known to one skill in the art and Sallie Mae is the nation's (USA) leading provider of student loans (Ref. Website salliemae.com). The art rejection was made under 35 USC 103 with two references, where Regan is a primary reference and Ireland et al. a secondary reference which discloses limitations

not disclosed by primary reference. Ireland et al. is secondary reference which add missing limitation not disclosed by primary reference.

In response to applicant's argument that Regan is a non-patent prior art which discloses the use of internet and filing of student using online applications which has automatically populating the student's information form database. Student loans and financial aids are well known to one skill in the art. Regan is a primary reference and Ireland et al. a secondary reference.

In response to applicant's argument that "referred to several claimed features as "well known..." 1) There are many feature and prior art that are known to people in field of practice of that particular art and there are feature known to public. Examiner believes that student loans, and providing copy of loan application are known to the public (student and parents of student who have been in college), let alone to one skill in the art. Additionally making a copy of a document is done regularly in bank, office, etc. Since Applicant has requested such a document. Examiner has included document references, which support the statements.

In response to applicant's argument (page 10) that "Before particularly ... multi-level financial aid ... neither of the Regan and Ireland et al references are directed ..." the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., multi-level and automatically) are not recited

in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). In regard to automation also see *In re Venner* and *In re Rundell*.

In response to applicant's argument (page 11) that "claim 11, numbered page 3 of ...", claim is given its ordinary meaning and **broadest reasonable interpretation**.

Applicant should consider entire document, however, see Figure 3C1 & 3C2 and col. 15 lines 4-26. Further,

a recitation of the intended use "for generating ..." of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

In response to applicant's argument that Ireland et al. is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was

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concerned, in order to be relied upon as a basis for rejection of the claimed invention.

See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Ireland discloses higher education financing system, functions which enables students get financial aid, etc.

In response to applicant's argument that certain dependent claims are patentable distinguish. If applicant thinks these limitations are not taught, not known in industry, or non-obvious, Applicant should write these claims in independent forms and Examiner will consider the new independent claims and make search accordingly and provide an office action based on the claimed limitations.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

In response to Applicant 's comments that examiner should provide document in support of "well-known" and "inherent", see at the followings.

1). Web pages from fafsa.ed.gov (total of 95 page), which provides information about student aid and filing for student aid using web-based browsers. These materials are extracted from Wayback machine and applicant is encouraged to view all available WebPages that he is interested in more detail.

2). US 2002/0178038 (Grybas) "Institutional Student Tracking System"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Abdi Kambiz can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass
Primary Examiner
Art Unit 3692



10/28/07